

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Will Henry Harlan,

Petitioner

v.

Brian Williams, et al.,

Respondents

2:15-cv-00799-JAD-PAL

**Order Granting Motion for Extension
of Time**

[ECF No. 17]

On September 29, 2016, I ordered pro se § 2254 petitioner Will Henry Harlan to notify the court how he wished to proceed with his mixed petition by October 29, 2016. That deadline came and went and Harlan did not file a response. He now requests an extension of time to file a response, explaining that he had a stroke and was relocated. I find that Harlan has shown good cause for his failure to timely respond to the order, and I grant his request for an extension of time.

The Nevada Department of Corrections online inmate search locator currently reflects that Harlan is now incarcerated at the High Desert State Prison rather than the Ely State Prison, his address of record. His motion reflects that he has been moved around recently because of his medical issues. Harlan is reminded to keep his address updated for this case because failure to update his address could result in the dismissal of this action without prejudice under LSR 2-2. Harlan is instructed to write his return address and back number in the upper left of the first page of every submission that he files.

Additionally, Harlan must serve copies of his papers on opposing counsel, Ms. Proctor, not on the Clerk. That is, he must mail the original to the Clerk, and his certificate of service must show that he has also mailed a copy to Ms. Proctor. Filings that do not include this proof of service may be rejected.

Accordingly, IT IS HEREBY ORDERED that Harlan's motion for an extension of time **[ECF No. 17] is GRANTED**. Harlan must dispatch a response to the September 29, 2016, order [ECF No. 15] notifying the court how he wishes to proceed in this action by **January 22, 2017**.

1 The Clerk is directed to **SEND Harlan an additional copy of this order and a copy of the**
2 **docket sheet to the address for High Desert State Prison in addition to the service copy sent to**
3 **the Ely State Prison address reflected on the docket sheet.**

4 Dated this 22nd day of December, 2016.

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6 Jennifer A. Dorsey
7 United States District Judge
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